

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 JUN -8 PM 3: 35

DIRECTV, INC., a California Corp.,

Plaintiff,

v.

No. 04-2399 B V

JESSE POWELL,

Defendant.

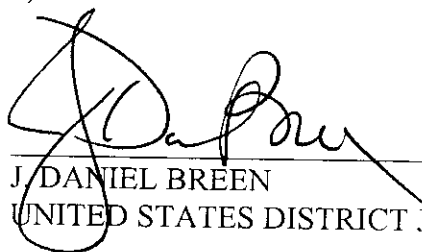
ROBERT R. DI TROLIO
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ORDER TO SHOW CAUSE

Before the Court is the motion of the Plaintiff, DIRECTV, Inc., for summary judgment against the Defendant, Jesse Powell, based on the Defendant's failure to cooperate in the discovery process in this action. This matter was referred to United States Magistrate Judge Diane Vescovo for a report and recommendation and/or determination. However, the Defendant never filed a response to the Plaintiff's motion. Nevertheless, on May 3, 2005, Judge Vescovo considered the motion and recommended that Plaintiff's motion be granted. According to the Court's docket, no objections to the report and recommendation have been filed even though the time for doing so has past.¹ Accordingly, Defendant is ORDERED to show cause within fifteen (15) days of entry of this order why the Plaintiff's motion for summary judgment should not be granted and the magistrate judge's report and recommendation not be adopted. Failure to respond to the Court's directive in a timely manner may result in a judgment in favor of the Plaintiff.

¹ A party who disagrees with the proposed findings and recommendations must file written objections within ten days of service of the recommendations. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

IT IS SO ORDERED this 8th day of June, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 20 in case 2:04-CV-02399 was distributed by fax, mail, or direct printing on June 8, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT